

Tennessee Board of Nursing



Newsletter

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CONTINUING COMPETENCE REQUIREMENTS FOR BOARD OF NURSING

Tennessee law mandates a mechanism for the board to assure the continued competence of registered and practical nurses.

To review the rules in their entirety go to tennessee.gov/health, click on licensing, health professional boards, nursing, continuing education. The citation for the rules is 1000-1-.14(2) for registered nurses and 1000-2-.14(2) for licensed practical nurses. You will note that continuing education for renewal is not mandatory; however mandatory competency is required.

First, the rules define continued competence as "the application of integrated nursing knowledge and the interpersonal, decision-making, psychomotor, communication, and leadership skills expected for the nursing practice role within the context of the public health, safety, and welfare." In other words continued competence means the application of nursing knowledge and skills expected for practice in order to protect the public from harm.

Next, the rules set out the standards of nursing competence. These standards enumerate very clearly the basic expectations for practice as a registered nurse and a licensed practical nurse in Tennessee. The standards of competence are separated into standards related to the nurse's responsibility to implement the nursing process and standards related to the nurse's responsibilities as a member of the nursing profession. Take time to compare and contrast the standards for RNs and LPNs.

Now to the question, "How do I demonstrate competence to the satisfaction of these rules?" First, nurses who practice full or part time will attest on their renewal application, by signature, that they have met the competency requirements for the two previous calendar years. This involves maintenance of a personal file (e.g. paper, electronic) documenting evidence of continued competence. The licensee must select at least two of fifteen items from a list of competency options. The list is both broad and self-explanatory so those nurses who practice in a variety of settings should be able to easily find options that are reasonable and convenient.

Acceptable proof of competence shall include two of the following:

- satisfactory employer evaluation;
- satisfactory peer evaluation;
- satisfactory patient/client relationship;

- contract renewal or re-appointment;
- written self evaluation based on the standards of competence;
- initial or continuing national certification;
- identification of two goals and a plan to demonstrate competency for these goals;
- volunteer work in a position using nursing knowledge, skills and ability or service relevant to nursing on a board or agency;
- participation in the education of nursing students in an approved school of nursing;
- five contact hours of continuing education;
- published an article relevant to nursing;
- completed a two week nursing refresher course;
- completed a two week comprehensive orientation program;
- two hours of nursing credit in a nursing program; and
- successfully retaken the national licensure examination.

The options for those nurses who are not practicing nursing full or part time and wish to maintain competence are more prescriptive and are listed in the rules following the full-time/part-time section. These rules should help nurses maintain competence on the front end and lessen the time needed to prepare for going back into practice when that time arises. Nurses who are not practicing will attest on their renewal application, by signature, that they have met the competency requirements for the two previous calendars

(Continued on Page 2)



THE BOARD OF NURSING HAS MOVED!!!!

The Bureau of Health Licensure and Regulation, which includes the Board of Nursing, has move to offices located in the Metro Center area of Nashville. The Bureau will be located in two different buildings: 227 French Landing and 220 Athens Way. The Board or Nursing administrative office will be on the 3rd floor of 227 French Landing, Heritage Place Metro Center and the Board meeting rooms will be on the 1st floor of that same building.

Mail sent to the Cordell Hull Building will be forwarded to the new location during this transition. The telephone numbers and fax numbers will remain the same.

Continuing Competence Requirements for Board of Nursing

(Continued from Page 1)

years. This, too, involves maintenance of a personal file (e.g. paper, electronic) documenting evidence of continued competence. The licensee must select any of the following items on the list of competency options.

Acceptable proof of competence for the non practicing nurse includes:

- volunteer work in nursing
- education of nursing students in an approved nursing program (RN only)
- five contact hours of continuing education for each year of not practicing
- article published in a nursing journal
- completion of a board approved refresher program
- completion of board approved orientation program
- enrollment in an approved school of nursing (minimum two hours of nursing credit)
- proof of successful retake national licensure examination

For nurses who have not practiced nursing for more than five years who wish to maintain an inactive license no competency documentation is required for renewal.

Nurses who have not practiced nursing or maintained competency and who desire to obtain an active license must submit one of the following with the appropriate licensure application:

- completion of five contact hours of continuing education for each year of not practicing
- article published in a nursing journal
- completion of board approved refresher program
- completion of board approved orientation program
- enrollment in an approved school of nursing (minimum of two hours of nursing credit)
- proof of current nursing certification in a specialty area
- proof of successful retake of national licensure examination

Lastly, it is important to note that each licensee must maintain evidence of compliance for four years from when the requirements are completed. This documentation must be produced for inspection and verification within thirty days of a written request by the board. Note: We must have your current address so that we can reach you! Failure to either complete the continued competence activities or to falsely certify completion may subject the nurse's license to disciplinary action.

The Board's intent is for every licensee to be able to demonstrate continued competency in a flexible and easy manner. ■

CONTINUED COMPETENCE PROGRAM REPORT OF AUDIT

After the continued competence rules had been in place long enough for licensees to have maintained a personal competence file for at least a two year period the board conducted an audit to measure compliance. This article shares the results of that audit and describes the board's policy for handling noncompliance.

First the good news! 87.5% of registered nurses and 70% of licensed practical nurses contacted participated in the audit. 72.5 % of RNs and 56% of LPNs fully complied with the competency requirements. An additional 12.5% of RNs and 14% of LPNs made an attempt to comply by contacting the audit compliance officer to work out a plan for compliance. After review and approval of the plan, these nurses received a noncompliance letter and are not subject to disciplinary action against their license or civil penalties.

Unfortunately, fully 15% of registered nurses and 29% of licensed practical nurses audited did not respond to the certified letter mailed to the licensee's address of record. Most of these licensees "chose" not to respond to the board. In other words,

changed their address and failed to notify the board as required by rule. This failure to respond to the board will prove costly to the out-of-compliance licensee as described in the following board policy. ■

TENNESSEE BOARD OF NURSING POLICY: DISPOSITION OF CONTINUED COMPETENCE CASES

NONCOMPLIANCE

Purpose: The purpose of the board is to safeguard life and health by assuring that each person practicing nursing is competent to do so. To this end the board has set up a graduated system of civil penalties for those licensed nurses who fail to come into compliance with the continued competence monitoring program or who falsely certify completion of the program. Authority: T.C.A. 63-1-108, 63-7-101, 63-7-115, 63-7-116, 63-7-120, 63-7-207(16) and *Rules of the Board of Nursing* 1000-1-.14 and 1000-2-.14

Tennessee Board of Nursing Policy: Disposition of Continued Competency

<u>Infraction</u>	<u>Civil Penalty</u>
Claimed certified mail/no response to official board notice	\$500
Claimed certified mail/no response to notice /completed one competence requirement	\$500 plus \$100
Claimed mail/no response to notice/ did not complete either of two competence requirements	\$500 plus \$200
Did not claim notice due to failure to change address/completed both competence requirements	\$100
Did not claim notice due to failure to change address/completed one competence requirement	\$100 plus \$100
Did not claim notice due to failure to change address/did not complete either competence requirement	\$100 plus \$200
Certified/attested falsely on renewal compliance with competence	\$150

According to the policy, the board considers failure to respond to an official notice from the board as an offense meriting a civil penalty (fine) of \$500. The RN or LPN who is later found to have not completed one or two of the competency requirements receives an additional civil penalty of \$100 or \$200 respectively. Further, the licensee who signed/attested/certified on the renewal application that he/she met the competence requirements and is determined not to have met those requirements is further set to be assessed a civil penalty of \$150.

Those licensees who do not respond to the official notification of audit of continued competence due to having changed address and fail to notify the board will be assessed civil penalties based on compliance with or noncompliance with competency requirements. A nurse who is later located and found to have completed competence requirements will be assessed a penalty of \$100. An additional \$100 is assessed for failure to meet one requirement and \$200 for failure to meet

(Continued on Page 3)

Tennessee Board of Nursing Policy: Disposition of Continued Competency (Continued from Page 2)

both of the two requirements. Falsely certifying compliance on renewal application adds an additional penalty of \$150.

Licensees who cannot be located will have their case referred to the Office of General Counsel for disposition. Failure of a licensee to respond to a formal notice of hearing before the board and charges may result in disciplinary action of the license up to revocation.

It is hoped that implementation of this policy for noncompliance will be a rare occurrence. Licensees may easily avoid noncompliance by taking the following simple steps:

1. Notify the board when address changes (go to tennessee.gov/health, click on renewal of license, change address).
2. Review board web site periodically (go to tennessee.gov/health, click on licensing, health professional boards, nursing).
3. Follow continued competence rules (go to tennessee.gov/health, click on continuing education).
4. Maintain a file containing continued competence documentation handy.
5. Respond timely to board communications *even if you have not been compliant.* ■



TENNESSEE BOARD OF NURSING MEET THE MEMBERS

Tennessee statute outlines the composition of the Board of Nursing: five registered nurses, three licensed practical nurses, two advanced practice nurses and one public member. The governor appoints the members who serve for a four year term of office. Currently there are two vacancies—one APN and one LPN.

Cheryl Stegbauer, Ph.D., RN, APN, chairs the Board of Nursing. Dr. Stegbauer is a Professor and Associate Dean for Academic Programs and Director of the MSN and DNP programs in the College of Nursing at the University of Tennessee Health Science Center, Memphis. She joined the faculty of UTHSC in 1976 as one of the original faculty members of the College of Nursing Family Nurse Practitioner graduate program. She is nationally certified as a family nurse practitioner and has practiced in this role for over 30 years. Cheryl was an invited participant on the National Council of State Boards of Nursing's Advanced Practice Nurse Expert Panel.

Donna Roddy, MSN, RN, serves as vice-chairman of the Board. Donna's career as a registered nurse spans 34 years with experience in home health, hospital education and administration. Reappointed to the board by Governor Bredesen in 2005, Donna has served on the board since 1997. Since 2001, Donna has been a Regional Clinical Network Analyst for BlueCross BlueShield of Tennessee. At the national level, Donna serves on the NCLEX Item Review Committee.

Debbie Holliday, LPN, practices at Life Care Center of Tullahoma as Admissions Nurse Coordinator and Director of Infection Control. She has worked there for over six years. Debbie received her practical nurse diploma in 1984 from Franklin County Board of Technical Education in Winchester. Debbie joined the board in 2005. She serves on the Practice Committee.

Wanda Neal Hooper, BSN, MS, RN, CIC, is the Nurse Epidemiologist at Saint Thomas Hospital, Nashville. She was

appointed to the Board in 2004. Wanda chairs the Board's Practice Committee and sits on the Tennessee Improving Patient Safety Committee and the Mandatory Reporting of Infections Subcommittee. At the national level she serves on the National Council of State Boards of Nursing's Continued Competence Task Force.

Terri Bowman, LPN, serves as Assistant director of Nursing at Decatur County Manor in Parsons. She has worked there for 24 years. Terri is the State Secretary for the Tennessee Health Care Association's Director of Nursing Association, currently serves on the Multi-Disciplinary Team with Decatur county Adult Protection, Advisory committee for the LPN classes for Jackson Area Vocational Schools. Terri is on the Board's Education Committee.

Barbara Brennan, MSN, RN, CNAA, BC, is Chief Nursing Officer at Skyline Medical Center in Nashville. Governor Bredesen appointed her to the Board in 2004. Barbara represented the board at the annual meeting of the National Council of State Boards of Nursing in 2005. She serves on the Practice Committee. Barbara was instrumental in developing the recent LPN Intravenous Therapy rules.

Kathleen Harkey, MBA, serves as the consumer member of the Board, appointed by Governor Bredesen in 2005. Kathleen has 30 plus years experience in professional management and marketing in non-profit, public and private settings. She is an elected member of the Metro Nashville Board of Education, Hillsboro Cluster. Kathleen serves on the Finance Committee.

John Preston, CRNA, DNSc, APN, fills the first, created in 2005, appointed advanced practice nurse position on the Board. Dr. Preston is an Assistant Professor and Program Director for the Nurse Anesthesia Concentration at the University of Tennessee Knoxville. He holds a joint appointment and staff anesthetist position at the University of Tennessee Medical Center, Knoxville. John serves on the Practice Committee. Prior to becoming a Board member, John volunteered on the Tennessee Nurses Association/Board of Nursing Joint Task Force on Advanced Practice.

Marian Stewart, MSN, RN is an Associate Professor of Nursing and Level 2 Coordinator at Motlow State Community College. Appointed by Governor Bredesen in 2005, Marian serves on the Board's Education Committee. She volunteers as a registered nurse at Partners for Healing Clinic. ■

Renew & change address faster online at
<http://tennessee.gov/health>

ACCESSING THE BOARD OF NURSING WEB SITE:

- Log on to <http://tennessee.gov/health>
- Click on "Licensing" in the title bar
- Click on "Health Professional Boards"
- Select "Board of Nursing"

The rules, statutes, applications, meeting schedule, meeting minutes, policy statements, and list of approved educational schools/programs are all available online. Licensure renewal and licensure verification can also be done at this Web site, as well as instructions for name and address changes. **REMINDER: Report all address changes within 30 days of the address change.**

Tennessee Board of Nursing
227 French Landing, Suite 300
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Tennessee Board of Nursing
Board Members as of July 1, 2006

Cheryl Stegbauer, Ph.D., RN, APN,
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Estill Springs

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